UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,617	03/15/2004	Koji Tsukimori	SON-2967	8418

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EXAMINER
ZAMAN, FAISAL M

ART UNIT	PAPER NUMBER
2112	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>14 September 2005</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-8</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>15 March 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Information Disclosure Statement

1.   The references listed on the Information Disclosure Statement submitted on 16

September 2004 have not been considered by the examiner because Application

number/inventor information is inconsistent with information received in the rest of the

application. Applicant is requested to re-submit IDS with corrected information.

Specification

2.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

The following title is suggested: --IMAGE EDITING SYSTEM TRANSMITS TIMING
NOTICE SIGNAL TO COMPUTER DURING PREDETERMINED TIMING THROUGH
USB CABLE IN RESPONSE TO TIMING NOTICE SIGNAL ACQUISITION COMMAND
FROM COMPUTER--.

Claim Objections

3.   Claim 5 is objected to because of the following informalities:

In lines 10-11, "to receive the timing notice signal" is repeated.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cedola (U.S. Patent No. 6,675,215) in view of Applicant's Admitted Prior Art

(hereinafter, "AAPA").

Regarding Claims 1 and 4, Cedola teaches a system having a computer

(Cedola, Figure 1, item 24, Column 4, lines 9-18) and a timing notice apparatus

(Cedola, Figure 1, item 22, Column 3, lines 6-37) connected to the computer over a

serial cable (Cedola, Figure 1, item 26, Column 2 line 66 – Column 3 line 5, it would be

obvious to one of ordinary skill in the art that the serial cable 26 could comprise of a

universal serial bus (USB) cable), wherein:

The computer (Cedola, Figure 1, item 24, Column 4, lines 9-18) comprises:

Command transmission means for transmitting an acquisition command (Cedola,

Column 3, lines 40-45, client computing device 24 sends the text string "CLIENT" to the

host computer 22 in order to determine which baud rate to communicate at), which

requires to acquire a timing notice signal for predetermined timing notice corresponding

to a frame frequency (ie. a baud rate) to be communicated (Cedola, Column 4 lines 50-

61, the reception of the timing notice signal [ie. the text string "SERVERCLIENT"] from

the host computer 22 indicates that the correct baud rate has been selected), to the

timing notice apparatus over the USB cable; and

Notice signal reception means for, as a result of the transmission of the

acquisition command, receiving the timing notice signal transmitted from the timing

notice apparatus (ie. the host computer 22) over the USB cable under the

predetermined timing (Cedola, Column 4 lines 50-61, the reception of the timing notice

signal [ie. the text string "SERVERCLIENT"] from the host computer 22 indicates that

the correct baud rate has been selected), and the timing notice apparatus (Cedola,

Figure 1, item 22, Column 3, lines 6-37) comprises:

Command reception means for receiving the acquisition command (Cedola,

Figure 1, item 64, Column 3 line 59 – Column 4 line 1) transmitted from the computer

over the USB cable; and

Notice signal transmission means for, when the acquisition command is received

by the command reception means, transmitting the timing notice signal (Cedola, Figure

1, item 62, Column 3 line 59 – Column 4 line 3, and Column 4 lines 55-61) to the

computer over the USB cable under the predetermined timing (ie. under the new baud

rate).

Cedola does not expressly disclose that the predetermined timing notice

corresponds to a frame frequency of image data to be edited.

In the same field of endeavor (e.g. detecting frame frequency rates for

communicating with peripheral devices over a serial connection), AAPA teaches a

predetermined timing notice corresponding to a frame frequency of image data to be

edited (AAPA, Page 1, lines 5-13 under Description of Related Art).

Accordingly, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have combined AAPA's teachings of detecting frame

frequency rates for communicating with peripheral devices over a serial connection with

the teachings of Cedola, for the purpose of easily configuring an apparatus that

performs processing in synchronization with the frame timing (see AAPA, Page 2, lines

18-20 under Description of Related Art). Cedola also provides motivation to combine by

stating it is an object of the invention to be provide a connection capability for devices

with different frame frequencies (ie. baud rates) (see Cedola, Column 2, lines 3-12).

Regarding Claim 2, Cedola teaches wherein for each requirement to acquire the

timing notice signal, the command transmission means of the computer transmits the

acquisition command to the timing notice apparatus one time over the USB cable

(Cedola, Column 3, lines 40-45, client computer 24 sends the text string "CLIENT" to

the host computer 22 once), and

When the acquisition command is transmitted by the command transmission

means to the timing notice apparatus one time over the USB cable, the notice signal

reception means of the computer waits to receive the timing notice signal (Cedola,

Column 3, lines 40-45 and Column 4, lines 50-61).

Regarding Claim 3, Cedola teaches wherein when the acquisition command is

received by the command reception means, the notice signal transmission means of the

timing notice apparatus transmits the timing notice signal, which is input under the

predetermined timing that comes foremost after the reception of the acquisition

command, to the computer over the USB cable at the same time when the timing notice

signal is input (Cedola, Column 3, lines 40-45 and Column 4, lines 50-61, the notice

signal [ie. the reply text string "SERVERCLIENT'] is sent to the client computer 24

immediately upon correctly receiving the acquisition command).

Cedola does not expressly disclose wherein the timing notice apparatus comprises synchronization information extraction means for, from a reference signal provided from outside and in which synchronization information is sequentially stored under the predetermined timing, sequentially extracting the synchronization information to the notice signal transmission means as the timing notice signal for the predetermined timing notice.

In the same field of endeavor, AAPA teaches wherein the timing notice apparatus comprises synchronization information extraction means for, from a reference signal provided from outside and in which synchronization information is sequentially stored under the predetermined timing, sequentially extracting the synchronization information to the notice signal transmission means as the timing notice signal for the predetermined timing notice (AAPA, Page 1 line 5 – Page 2 line 4 under Description of Related Art).

. The motivation utilized in the combination of Claim 1, super, applies equally as well to Claim 3.

Regarding Claim 5, Cedola discloses a computer (Cedola, Figure 1, item 24, Column 4, lines 9-18) that is connected to a timing notice apparatus (Cedola, Figure 1, item 22, Column 3, lines 6-37) over a serial cable (Cedola, Figure 1, item 26, Column 2 line 66 – Column 3 line 5, it would be obvious to one of ordinary skill in the art that the serial cable 26 could comprise of a universal serial bus (USB) cable), comprising:

Command transmission means for, for each requirement to acquire a timing

notice signal for predetermined timing notice corresponding to a frame frequency (ie.

the baud rate) to be communicated (Cedola, Column 4 lines 50-61, the reception of the

timing notice signal [ie. the text string "SERVERCLIENT"] from the host computer 22

indicates that the correct baud rate has been selected), transmitting an acquisition

command (Cedola, Column 3, lines 40-45, client computing device 24 sends the text

string "CLIENT" to the host computer 22 in order to determine which baud rate to

communicate at) requiring to acquire the timing notice signal to the timing notice

apparatus one time over the USB cable (Cedola, Column 3, lines 40-45, client computer

24 sends the text string "CLIENT" to the host computer 22 once); and

Notice signal reception means for, when the acquisition command is transmitted

by the command transmission means to the timing notice apparatus (ie. the host

computer 22) one time over the USB cable, waiting to receive the timing notice signal

transmitted from the timing notice apparatus over the USB cable under the

predetermined timing (Cedola, Column 4 lines 50-61, the reception of the timing notice

signal [ie. the text string "SERVERCLIENT"] from the host computer 22 indicates that

the correct baud rate has been selected).

Cedola does not expressly disclose that the predetermined timing notice

corresponds to a frame frequency of image data to be edited.

In the same field of endeavor (e.g. detecting frame frequency rates for

communicating with peripheral devices over a serial connection), AAPA teaches a

predetermined timing notice corresponding to a frame frequency of image data to be

edited (AAPA, Page 1, lines 5-13 under Description of Related Art).

The motivation utilized in the combination of Claim 1, super, applies equally as

well to Claim 5.

Regarding Claim 6, Cedola teaches a timing notice apparatus (Cedola, Figure

1, item 22, Column 3, lines 6-37) that is connected to a computer (Cedola, Figure 1,

item 24, Column 4, lines 9-18) over a serial cable (Cedola, Figure 1, item 26, Column 2

line 66 – Column 3 line 5, it would be obvious to one of ordinary skill in the art that the

serial cable 26 could comprise of a universal serial bus (USB) cable), comprising:

Command reception means for, for each requirement to acquire the timing notice

signal, receiving the acquisition command (Cedola, Figure 1, item 64, Column 3 line 59

– Column 4 line 1) transmitted from the computer one time over the USB cable; and

Notice signal transmission means for, when the acquisition command is received

by the command reception means, transmitting the timing notice signal, which is input

under the predetermined timing that comes foremost after the reception of the

acquisition command, to the computer over the USB cable at the same time when the

timing notice signal is input (Cedola, Column 3, lines 40-45 and Column 4, lines 50-61,

the notice signal [ie. the reply text string "SERVERCLIENT'] is sent to the client

computer 24 immediately upon correctly receiving the acquisition command).

Cedola does not expressly disclose wherein the timing notice apparatus

comprises synchronization information extraction means for, from a reference signal

provided from outside and in which synchronization information is sequentially stored under the predetermined timing, sequentially extracting the synchronization information to the notice signal transmission means as the timing notice signal for the predetermined timing notice.

In the same field of endeavor, AAPA teaches wherein the timing notice apparatus comprises synchronization information extraction means for, from a reference signal provided from outside and in which synchronization information is sequentially stored under the predetermined timing, sequentially extracting the synchronization information to the notice signal transmission means as the timing notice signal for the predetermined timing notice (AAPA, Page 1 line 5 – Page 2 line 4, under Description of Related Art).

The motivation utilized in the combination of Claim 1, super, applies equally as well to Claim 6.

Claim 7 is directed to a method of the system of Claims 1-4, and **Claim 8** is directed to a program operable on a computer to perform the method of the system of Claims 1-4. Cedola and AAPA teach, either alone or in combination as stated above, the system as set forth in Claims 1-4. Therefore, Cedola and AAPA also teach, either alone or in combination as stated above, a method as set forth in Claim 7 and a computer program as set forth in Claim 8.

Prior Art of Record

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Kennedy et al. (U.S. Patent No. 5,490,209) discloses an

autobaud rate detection mechanism. Ishii (U.S. Patent No. 5,724,615) discloses a

communication circuit receiving data selectably synchronized to the rising or falling

edge of a timing signal provided from the data source. Ohmura et al. (U.S. Patent No.

5,815,280) discloses an image recording apparatus with prioritization of input. Van

Oostrom et al. (U.S. Patent No. 6,074,345) discloses a patient data acquisition and

control system. Moore et al. (U.S. Patent No. 6,166,766) discloses a sensing circuit for

capturing a pixel signal. Loyer et al. (U.S. Patent No. 6,366,610) discloses autobauding

with adjustment to a programmable baud rate. Hesse et al. (U.S. Patent Publication No.

2003/0225957) discloses transaction duration management in a USB host controller.

West et al. (U.S. Patent Publication No. 2005/0041602) discloses methods and

apparatus for providing high speed connectivity to a hotel environment.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Faisal Zaman whose telephone number is 571-272-

6495. The examiner can normally be reached on Monday thru Friday, 9 am - 5:30 pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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